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23 UNITED STATES DISTRICT COURT

24 NORTHERN DISTRICT OF CALIFORNIA

25 SAN FRANCISCO DIVISION

26 SONOS, INC.,

27 Plaintiff,

28 vs.

GOOGLE LLC,

Defendant.

CASE NO. 3:20-cv-06754-WHA

Related to CASE NO. 3:21-cv-07559-WHA

**DECLARATION OF JOCELYN MA IN  
SUPPORT OF SONOS, INC.'S  
ADMINISTRATIVE MOTION TO  
CONSIDER WHETHER ANOTHER  
PARTY'S MATERIAL SHOULD BE  
SEALED RE SONOS, INC.'S MOTION *IN*  
*LIMINE* NO. 5 (DKT. NO. 601)**

I, Jocelyn Ma, declare and state as follows:

1. I am an attorney licensed to practice in the State of California and am admitted to practice before this Court. I am an associate at Quinn Emanuel Urquhart & Sullivan LLP representing Google LLC (“Google”) in this matter. I have personal knowledge of the matters set forth in this Declaration, and if called as a witness I would testify competently to those matters.

2. I make this declaration in support of Sonos, Inc.’s (“Sonos”) Administrative Motion to Consider Whether Another Party’s Material Should Be Sealed (“Administrative Motion”) (Dkt. 601) filed in connection with Sonos, Inc.’s (“Sonos”) Motion *in Limine* No. 5 (“Sonos’s Motion”) and Google’s Response to Motion *in Limine* No. 5 (“Google’s Response”). If called as a witness, I could and would testify competently to the information contained herein.

3. Google seeks an order sealing the materials as listed below:

Document	Portions Sonos Sought to Be Filed Under Seal	Portions Google Seeks to Be Filed Under Seal	Designating Party
Sonos’s Motion	Portions highlighted in yellow	Portions highlighted in yellow	Google
Exhibit A to Kolker Declaration	Entire document	Portions outlined in red	Google
Exhibit B to Kolker Declaration	Entire document	None	Google
Exhibit C to Kolker Declaration	Entire document	None	Google
Google’s Response	Portions highlighted in yellow	Portions highlighted in yellow	Google

4. I understand that this Court has analyzed sealing requests in connection with motions *in limine* pursuant to the “good cause” standard for non-dispositive motions. *See, e.g., Gearsource Holdings, LLC v. Google LLC*, No. 18-CV-03812-HSG, 2021 WL 1123630, at \*2 (N.D. Cal. Feb. 24, 2021) (“Because Defendant’s motion *in limine* is not a dispositive motion, the Court applies the lower good cause standard.”); *Racies v. Quincy Bioscience, LLC*, No. 15-CV-00292-HSG, 2019 WL 8438448, at \*1 (N.D. Cal. Dec. 16, 2019) (“Because the parties move to file documents related to their motions *in limine*, the Court will apply the lower good cause standard.”); *TVIIM, LLC v. McAfee, Inc.*,

No. 13-CV-04545-HSG, 2015 WL 3776424, at \*2 (N.D. Cal. June 16, 2015) (“Because motions *in limine* are nondispositive motions, the Court applies the ‘good cause’ standard to the pending motions to seal.”). I also understand that material that is confidential and could harm a litigant’s competitive standing if disclosed may be sealed under the good cause standard. *See, e.g., Skillz Platform Inc. v. AviaGames Inc.*, No. 21-CV-02436-BLF, 2022 WL 875654, at \*2 (N.D. Cal. Mar. 24, 2022) (finding “good cause to file the documents and portions of documents at issue under seal given the sensitive financial and business information they contain”); *Dugan v. Lloyds TSB Bank, PLC*, No. 12-CV-02549-WHA NJV, 2013 WL 1435223, at \*2 (N.D. Cal. Apr. 9, 2013) (“There may be ‘good cause’ to seal records that are privileged, contain trade secrets, contain confidential research, development or commercial information, or if disclosure of the information might harm a litigant’s competitive standing.”).

5. The portions of Sonos’s Motion and Google’s Response highlighted in yellow and portions of Exhibit A to Kolker’s Declaration outlined in red contain references to Google’s confidential business information, including details regarding the architecture and technical operation of Google’s products. The specifics of how these functionalities operate is confidential information that Google does not share publicly. Thus, I understand that the public disclosure of such information could lead to competitive harm to Google, as competitors could use these details regarding the architecture and functionality of Google’s products to gain a competitive advantage in the marketplace with respect to their competing products. Google has therefore designated this information as HIGHLY CONFIDENTIAL—ATTORNEYS’ EYES ONLY under the protective order (Dkt. No. 92).

I declare under penalty of perjury under the laws of the United States of America that to the best of my knowledge the foregoing is true and correct. Executed on May 2, 2023, in San Francisco, California.

DATED: May 2, 2023

By: /s/ Jocelyn Ma  
Jocelyn Ma